

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:17-00114

BRIAN KEVIN SIGMON

MEMORANDUM OPINION AND ORDER

Pending before the court is Justin J. Marcum's motion to withdraw as the defendant's counsel. ECF No. 37. Mr. Marcum represented the defendant in a criminal case which was closed on December 7, 2017. Then on November 5, 2019, the case was reassigned to this court. ECF No. 36.

Withdrawal of representation in a criminal action is governed by Local Rule 44.4, which states in part that "[a] motion to withdraw shall be accompanied by a notice of appearance of substitute counsel. In the absence of the appearance of substitute counsel, a motion to withdraw shall set forth sufficient information to enable the court to rule." L.R. Cr. P. 44.4. There has not yet been any notice of appearance of substitute counsel. However, as noted above, this case was closed. Furthermore, in support of his motion to withdraw, counsel explained that he has completed his duties under the retainer agreement signed by the defendant, and that no party would suffer any undue prejudice by allowing his withdrawal.

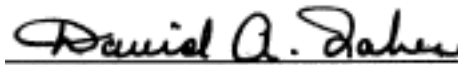
ECF No. 37. Accordingly, to the extent that it is even necessary to do so, the court hereby **GRANTS** Mr. Marcum's motion to withdraw as the defendant's counsel.

The court hereby further **ORDERS** that Justin J. Marcum should no longer receive any CM/ECF notifications of future filings in this case.

The Clerk is directed to send a copy of this Order to Mr. Marcum, the United States Attorney, the Probation Office of this court, and the United States Marshal for the Southern District of West Virginia.

It is SO ORDERED this 12th day of November, 2019.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge